

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE**

SANDRA KENDRICK, et al.;

Plaintiffs,

v.

ANDREW BRUCK, et al.;

Defendants.

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Civil No. 21-6231 (RBK/AMD)

ORDER

KUGLER, United States District Judge:

THIS MATTER comes before the Court are Defendants Ronald Cundey and John Polillo's Motion to Dismiss (Doc. No. 33) for failure to state a claim and Defendants Andrew Bruck and Patrick J. Callahan's Motion to Dismiss (Doc. No. 34) for lack of standing; for the reasons expressed in the accompanying Opinion,

IT IS HEREBY ORDERED Defendants Andrew Bruck and Patrick J. Callahan's motion to dismiss for lack of standing (Doc. No. 34) is **GRANTED IN PART** and **DENIED IN PART**:

Plaintiffs Sandra Kendrick, Carol Kinkade and Nancy Merritt are dismissed without prejudice pursuant to 12(b)(1);

Plaintiffs New Jersey Rifle & Pistol Clubs, Inc., New Jersey Second Amendment Society, and Coalition of New Jersey Firearm Owners have adequately pleaded standing to proceed on their own behalf but not on behalf of their members;

Plaintiffs Firearms Policy Coalition, Inc. and Second Amendment Foundation are dismissed without prejudice pursuant to 12(b)(1); and

Plaintiff Bob's Little Sport Shop has adequately pleaded third-party prudential standing on behalf of its customers; and

IT IS FURTHERED ORDERED Defendants Ronald Cundey and John Polillo's motion to dismiss for failure to state a claim (Doc. No. 33) is **GRANTED IN PART** and **DENIED IN PART**; Defendant Ronald Cundey is dismissed without prejudice.

Dated: 2/22/2022

/s/ Robert B. Kugler
ROBERT B. KUGLER
United States District Judge